

REMARKS/ARGUMENTS

Claims 1-21 are pending in the present application, and the Examiner has rejected all of the claims in an Office Action dated November 3, 2004. As set forth more fully below, reconsideration and withdrawal of the Examiner's rejections of the claims are respectfully requested.

Claim Rejections Under 35 U.S.C. §102

Independent claims 1, 16, and 19 have been rejected under 35 U.S.C. §102(e) as being anticipated by Saheki et al. (US 6,568,259 B1). The Applicants respectfully disagree and traverse the Examiner's rejection.

It is well recognized that claims are anticipated if, and only if, each and every element, as set forth in the claim is found in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). See MPEP §2131.

The transmitter of the present invention includes a connecting portion (20) for connecting a casing (10) to a valve stem (11) pivotally about a line (0) perpendicular to the axial direction of the valve stem. The connecting portion enables pivoting of the casing (10) about the line (0) perpendicular to the axial direction of the valve stem. In other words, the angle formed between the casing (10) and the valve stem (11) is variable in accordance with inclination of a rim (5a) of a wheel (5) as shown in Figs. 5 and 6.

Unlike to the present invention, Saheki et al. does not disclose the claimed connecting portion. The transmitter of Saheki et al. does not have a connecting portion for connecting a casing to a valve stem pivotally about a line perpendicular to the axial direction of the valve stem. Therefore, the angle between the valve stem and the casing of Saheki et al is not changeable.

Saheki et al. does not teach or suggest of the claimed connecting portion. Therefore the present invention is patentable over Sahekiet al. Accordingly, the Examiner is requested to withdraw the 35 U.S.C. §102 rejection of the claims, including independent Claims 1, 16, and 19.

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Double Patenting Rejections

Claims 1-21 have been provisionally rejected under 35 U.S.C. §101 as claiming the same invention as that of Claims 1-9 of copending application 10/697,614. In addition, claims 1-21 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-9 of copending application 10/697,614. The Applicants respectfully disagree.

The copending application, 10/697614, does not disclose the claimed connecting portion. The transmitter of the copending application does not have a connecting portion for connecting a casing to a valve stem pivotally about a line perpendicular to the axial direction of the valve stem, and the angle between the valve stem and the casing is not changeable.

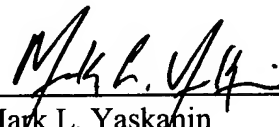
The copending application does not teach or suggest the claimed connecting portion. Therefore the present invention is patentable over the copending application. Accordingly, the Examiner is requested to withdraw the 35 U.S.C. §101 and double-patenting rejections of Claims 1-21.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: _____


Mark L. Yaskanin
Registration No. 45,246
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: _____

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